

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>NORFOLK SOUTHERN RAILWAY COMPANY,</b>	<b>:</b>	<b>CIVIL ACTION NO. 1:CV-01-704</b>
<b>Plaintiff</b>	<b>:</b>	<b>(Judge Conner)</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>ABC-NACO, INC.,</b>	<b>:</b>	
	<b>:</b>	
<b>Defendant</b>	<b>:</b>	

**REPORT OF PLAINTIFF  
NORFOLK SOUTHERN RAILWAY COMPANY**

Pursuant to the Court's Order dated June 10, 2004, Plaintiff Norfolk Southern Railway Company ("Norfolk Southern") submits the following report:

Counsel for Norfolk Southern attempted to contact Thomas P. McGinnis, Esquire, counsel of record for the debtor defendant ABC-NACO, Inc. ("ABC-NACO"). It soon became clear that Mr. McGinnis was no longer with his previous firm, but because no one else was listed on the caption, I tracked down Mr. McGinnis so that he could assist in preparing a report to the Court on the status of

the defendant's bankruptcy. Finally, on Monday, June 28, 2004, Mr. McGinnis left me a message that he had in fact left his previous law firm and put me in contact with George Stewart, Esquire to determine the status of defendant ABC-NACO. I left a message with Mr. Stewart on that same day, but did not hear back from him.

I will be out of the office from June 29, 2004 to July 1, 2004. As a result thereof, the plaintiff Norfolk Southern files this report to inform the Court that it does not know the status of the defendant's bankruptcy proceedings at this time and awaits word of such from counsel for the defendant.

s/Kenneth J. Grunfeld  
Kenneth J. Grunfeld, Esquire  
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Dated: June 28, 2004

**CERTIFICATE OF SERVICE**

This is to certify that on this, the 28th day of June 2004, a copy of the foregoing Report of Plaintiff Norfolk Southern Railway Company was filed electronically. A true and correct copy of the foregoing Report was served by first class mail, postage prepaid upon counsel as follows:

George N. Stewart, Esquire  
Zimmer Kunz, PLLC  
132 South Main Street, Suite 400  
Greensburg, PA 15601

s/Kenneth J. Grunfeld

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